

Attorneys for Plaintiffs, SANDERS VIENER GROSSMAN, LLP
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Mineola, NY 11501

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

MDL NO. 1699
District Judge: Charles R. Breyer

Ruben Schmidt

Plaintiffs,

vs.

Pfizer, Inc., et al.

Defendants.

Case No. C-06-2438 CRB

STIPULATION AND ORDER OF
DISMISSAL WITHOUT PREJUDICE

Come now the Plaintiff and Defendants, by and through the undersigned attorneys,
pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of
this action without prejudice with each side bearing its own attorneys' fees and costs.

Should Plaintiff or a representative of Plaintiff attempt to re-file claim against
Defendants, they should do so only by re-filing in the United States District Court.

1 DATED: 11/14, 2006.

2 By: [Signature]

3 Attorneys for Plaintiff, M. Grossman

4 DATED: 11/14, 2006.

5 GORDON & REES

6 By: [Signature]

7 Stuart M. Gordon

8 Attorneys for Defendants

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11 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
12 IT IS SO ORDERED.**

13 Dated: Nov. 15 2006

